



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

: MISDEMEANOR  
: INFORMATION

-v.-

: **12 CRIM 083**

ROBERT RUBICCO,

Defendant. :

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COUNT ONE

The United States Attorney charges:

1. On or about September 19, 2011, in the Southern District of New York and elsewhere, ROBERT RUBICCO, the defendant, intentionally accessed a computer without authorization and exceeded authorized access, and thereby obtained information from a protected computer, to wit, RUBICCO accessed without authorization the computer network system of a Manhattan-based company (the "Company") and obtained a computer file containing confidential and sensitive Company information from a protected computer.

(Title 18, United States Code, Sections 1030(a)(2)(C)  
and 1030(c)(2)(A).)

FORFEITURE ALLEGATION

2. As a result of committing the computer intrusion offense, in violation of Title 18, United States Code, Section 1030, alleged in Count One, ROBERT RUBICCO, the defendant, shall forfeit to the United States, pursuant to 18 U.S.C. §§ 982(a)(2)(B) and 1030(i)(1)(B), any property constituting, and derived from, proceeds obtained directly and indirectly as a

result of the offense.

3. As a result of committing the computer intrusion offense, in violation of Title 18, United States Code, Section 1030, alleged in Count One, ROBERT RUBICCO, the defendant, shall forfeit to the United States, pursuant to 18 U.S.C. § 1030(i)(1)(A), his interest in any personal property that was used and intended to be used to commit and to facilitate the commission of the offense.

Substitute Assets Provision

4. If any of the forfeitable property described in paragraph two of this Information, as a result of any act or omission of the defendant:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third person;
- (c) has been placed beyond the jurisdiction of the Court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 18, United States Code, Section 982(b) and Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of said defendant up to the value of the forfeitable property.

(Title 18, United States Code, Sections 982 and 1030,  
and Title 21, United States Code, Section 853(p).)

A handwritten signature in cursive script, reading "Preet Bharara". The signature is written in dark ink and is positioned above a horizontal line.

PREET BHARARA  
United States Attorney

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MISDEMEANOR INFORMATION

12 Cr.

(Title 18, United States Code,  
Sections 1030(a)(2)(C), 1030(c)(2)(A),  
1030(i)(1) and 982, and Title 21, United  
States Code, Section 853(p).)

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PREET BHARARA

United States Attorney.

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1/27/12  
AUSA Chris Pinnone pres. Post  
Robert Rubicon pres w/other  
Robert Pinn. Post, clerk, to H  
to M. J. Inf. Counsel to Record let  
Mr. Pinn. Set det 5/29/12 at 930  
E. on SA let Mr. Judge Polyzos.  
1001 Ret to All 50 states Bar Cat  
Mr. Judge Polyzos